

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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| <p>JAMES P. STEPHENSON, LIQUIDATING TRUSTEE OF MJK CLEARING, INC., Plaintiff,</p> <p>v.</p> <p>DEUTSCHE BANK AG, et al., Defendants</p> | <p>Civil No. 02-4845 (RHK/AJB)</p> |
| <p>DEUTSCHE BANK AG, et al., Defendants/Third- Party Plaintiffs,</p> <p>v.</p> <p>WEDBUSH MORGAN SECURITIES, INC., et al., Third-Party Defendants.</p> | <p>Civil No. 02-4845 (RHK/AJB)</p> |
| <p>FERRIS, BAKER WATTS, INC., Plaintiff</p> <p>v.</p> <p>DEUTSCHE BANK SECURITIES LIMITED, et. al, Defendants</p> | <p>Civil No. 02-3682 RHK/AJB</p> |
| <p>E*TRADE SECURITIES LLC, Plaintiff</p> <p>v.</p> <p>DEUTSCHE BANK AG, et al., Defendants</p> | <p>Civil No. 02-3711 RHK/AJB</p> |
| <p>E*TRADE SECURITIES LLC, <i>as assignee of FISERV SECURITIES INC.</i>, Plaintiff</p> <p>v.</p> <p>NOMURA CANADA INC., et al., Defendants</p> | <p>Civil No. 03-5311 RHK/AJB</p> |

WITNESS LIST OF NOMURA CANADA INC. AND SCOTT REED

Defendants Nomura Canada Inc. (“NC”) and Scott Reed identify the following trial witnesses:*

Current or Former Employees of NC

Simon Fallon: It is anticipated that Mr. Fallon, a former stock loan employee of NC, will testify concerning: (i) stock lending, (ii) stock lending at NC, (iii) Mr. Reed’s and NC’s lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (iv) the securities at issue in these litigations, (v) the relationship between Nomura Securities International, Inc. (“NSI”) and NC, and (vi) NC’s preservation of documents.

Scott Reed: It is anticipated that Mr. Reed, a former stock loan employee of NC, will testify concerning: (i) stock lending, (ii) stock lending at NC, (iii) the securities at issue in these litigations, (iv) the relationship between NSI and NC, (v) Mr. Reed’s and NC’s lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (vi) NC’s preservation of documents, and (vii) the absence of personal jurisdiction.

Wilson Sun: It is anticipated that Mr. Sun, former Controller of NC, will testify concerning operations at NC.

* The testimony of the witnesses identified in this list shall be in person and/or through deposition testimony. NC and Mr. Reed reserve their right to modify this list or the areas of testimony of the witnesses listed here to take into account the Court’s rulings on summary judgment motions, consolidation motions, in limine motions and other pretrial matters and the proof actually presented at trial.

Thomas Wu: It is anticipated that Mr. Wu, the former President and CEO of NC, will testify concerning: (i) stock lending, (ii) stock lending at NC, (iii) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (iv) the securities at issue in these litigations, and (v) the relationship between NSI and NC.

Current or Former Employees of NSI

Judy Berchadsky: It is anticipated that Ms. Berchadsky, who was an analyst in the credit department of NSI in 2001, will testify concerning credit policies and procedures in place at NSI in 2001 with respect to securities lending counterparties.

Robert Colon: It is anticipated that Mr. Colon, who is currently the head of domestic securities lending at NSI, will testify concerning: (i) stock lending and (ii) stock lending at NSI.

Michael Farrell: It is anticipated that Mr. Farrell, who was, among other things, the director in charge of securities lending operations at NSI in 2001, will testify concerning the status of NSI's systems and reports following the 9/11 evacuation to offices in Piscataway, New Jersey.

John Kelleher: It is anticipated that John Kelleher, who was vice-president of corporate actions at NSI will testify concerning the effect of reorganizations on conduit loans.

Robert Lakeman: It is anticipated that Mr. Lakeman, a former employee in the securities lending department of NSI, will testify concerning: (i) stock lending, (ii)

stock lending at NSI, (iii) NSI's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, and (iv) the securities at issue here.

William Mumma: It is anticipated that Mr. Mumma, who was the Managing Director of the equity division at NSI in 2001, will testify concerning: (i) stock lending, (ii) stock lending at NSI, (iii) the losses incurred by NSI and (iv) the relationship between NSI and NC.

John L. Noonan: It is anticipated that John L. Noonan, who was director of equity administration at NSI in 2001, will testify concerning: (i) his research into GENI, (ii) his decision to short GENI stock, and (iii) NSI's lack of scienter and non-involvement in any fraudulent stock loan trading scheme.

Anthony Venditti: It is anticipated that Mr. Venditti, who was the head of the securities lending department at NSI in 2001, will testify concerning: (i) NSI's lack of scienter and non-involvement in any fraudulent stock loan trading scheme and (ii) the securities at issue here.

Current or Former Employees of Deutsche Bank

Wayne Breedon: It is anticipated that Mr. Breedon, a defendant in this action and, upon information and belief an employee of Deutsche Bank Securities Limited, will testify concerning: (i) stock lending, (ii) stock lending at Deutsche Bank Securities Limited, (iii) Mr. Reed and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (iv) the securities at issue in these litigations, (v) the fraudulent and manipulating trading and other conduct of Mr. Breedon, Mr. D'Angelo

and others, and (vi) Deutsche Bank Securities Limited's knowledge of Mr. Breedon's fraudulent activities.

Gene Chin: It is anticipated that Mr. Chin, upon information and belief an employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, a lack of risk management with respect to securities borrowed, and a lack of other controls, (ii) the securities at issue in these litigations, and (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of trading in and transactions involving GENI, ICII and RVEE.

Edward Connelly: It is anticipated that Mr. Connelly, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE, and (iv) purported supervision of Mr. Breedon.

James Conti: It is anticipated that Mr. Conti, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited,

and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE, and (iv) purported supervision of Mr. Breedon.

Andrew Deluise: It is anticipated that Mr. Deluise, upon information and belief a former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE, and (iv) purported supervision of Mr. Breedon.

John Genovese: It is anticipated that Mr. Genovese, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, and (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE.

Susan Isquith: It is anticipated that Ms. Isquith, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, a lack of risk management with respect to securities borrowed, and a lack of other controls, (ii) the securities at issue in these litigations, and (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities

Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE.

Sean Keogh: It is anticipated that Mr. Keogh, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, and (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI.

James Lailey: It is anticipated that Mr. Lailey, upon information and belief a current employee of Deutsche Bank AG and a former employee of Deutsche Bank Securities Limited, will testify concerning: (i) stock lending, (ii) stock lending at Deutsche Bank AG and at Deutsche Bank Securities Limited, (iii) the lack of knowledge of, or involvement of Mr. Reed and NC in any fraud, (iv) the securities at issue in these litigations, (v) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE., (vi) the relationship between Toronto stock loan traders and Mr. D'Angelo, and (vii) purported supervision of Mr. Breedon.

John Maynard: It is anticipated that Mr. Maynard, upon information and belief a current or former employee of Deutsche Bank Securities Limited, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, (ii) the corporate structure of the Deutsche Bank entities, and (iii) the source of funds for stock lending.

Mike Morrell: It is anticipated that Mr. Morrell, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, a lack of risk management with respect to securities borrowed, and a lack of other controls, (ii) the securities at issue in these litigations, and (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE.

Jean Paul Musicco: It is anticipated that Mr. Musicco, upon information and belief a current or former employee of Deutsche Bank AG, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE, and (iv) purported supervision of Mr. Breedon.

Cindy Stuy: It is anticipated that Ms. Stuy, upon information and belief a current or former employee of Deutsche Bank Securities Limited, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, and (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE.

Beryl Sylvester: It is anticipated that Ms. Sylvester, upon information and belief a former employee of Deutsche Bank Securities Limited, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE, (iv) the purported supervision of Mr. Breedon, (v) the role of Mr. D'Angelo in the fraudulent scheme, and (vi) the lack of a close relationship between Mr. Reed and Mr. Breedon or Mr. D'Angelo.

Janine Waite: It is anticipated that Ms. Waite, upon information and belief a current or former employee of Deutsche Bank Securities Limited, will testify concerning: (i) stock lending at Deutsche Bank AG and Deutsche Bank Securities Limited, including the lack of adequate credit limits policies, and a lack of other controls, (ii) the securities at issue in these litigations, (iii) the knowledge of Mr. Breedon, Deutsche Bank Securities Limited, and Deutsche Bank AG of the trading in and transactions involving GENI, ICII and RVEE, and (iv) the purported supervision of Mr. Breedon.

Current or Former Employees of RBF International

Maureen Amarante: It is anticipated that Ms. Amarante, upon information and belief a former employee of RBF International ("RBF"), will testify concerning: (i) the securities at issue in these litigations, (ii) stock lending, (iii) the involvement of Mr. D'Angelo, Mr. Breedon, Mr. El-Batrawi, and Mr. Evangelista in the fraudulent and

manipulative trading and transactions in GENI, ICII and RVEE, (iv) the lack of knowledge of, or involvement of Mr. Reed in any fraud, and (v) the knowledge of the Deutsche Bank entities, CIBC and Wedbush.

Kenneth D'Angelo: It is anticipated that Mr. D'Angelo, a defendant in this action and upon information and belief the former president of RBF International, will testify concerning: (i) the securities at issue in these litigations, (ii) stock lending, (iii) the involvement of Mr. D'Angelo, Mr. Breedon, Mr. El-Batrawi, and Mr. Evangelista in the fraudulent and manipulative trading and transactions in GENI, ICII and RVEE, (iv) the lack of knowledge of, or involvement of Mr. Reed in any fraud, and (v) the knowledge of the Deutsche Bank entities, CIBC and Wedbush.

Tina DiCarlo: It is anticipated that Ms. DiCarlo, upon information and belief a former employee of RBF International, will testify concerning: (i) the securities at issue in these litigations, (ii) stock lending, the involvement of Mr. D'Angelo, Mr. Breedon, Mr. El-Batrawi, and Mr. Evangelista in the fraudulent and manipulative trading and transactions in GENI, ICII and RVEE, (iv) the lack of knowledge of, or involvement of Mr. Reed in any fraud, and (v) the knowledge of the Deutsche Bank entities CIBC and Wedbush.

Current or Former Employees of CIBC Worldmarkets, Inc.

Timothy Reid: It is anticipated that Mr. Reid, upon information and belief a current or former employee of CIBC, will testify concerning: (i) stock lending, (ii) stock lending at CIBC, (iii) Mr. Reed and NC, (iv) the securities at issue in these

litigations, (v) Mr. Breedon and Mr. D'Angelo, and (vi) CIBC's failure to preserve its telephone recordings.

Paul Varey: It is anticipated that Mr. Varey, upon information and belief a former employee of CIBC, will testify concerning: (i) stock lending, (ii) stock lending at CIBC, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. Breedon and Mr. D'Angelo.

Current or Former Employees of Wedbush Morgan Securities

Tom Brophy: It is anticipated that Mr. Brophy, upon information and belief a current or former employee of Wedbush, will testify concerning: (i) stock lending, (ii) stock lending at Wedbush, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. D'Angelo and RBF.

Thomas Deegan: It is anticipated that Mr. Deegan, upon information and belief a current or former employee of Wedbush, will testify concerning: (i) stock lending, (ii) stock lending at Wedbush, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. D'Angelo and RBF.

John Guica: It is anticipated that Mr. Guica, upon information and belief a current or former employee of Wedbush, will testify concerning: (i) stock lending, (ii) stock lending at Wedbush, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. D'Angelo and RBF.

Philip Matthews: It is anticipated that Mr. Matthews, upon information and belief a current or former employee of Wedbush, will testify concerning: (i) stock

lending, (ii) stock lending at Wedbush, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. D'Angelo and RBF.

Peter Pianelli: It is anticipated that Mr. Pianelli, upon information and belief a current or former employee of Wedbush, will testify concerning: (i) stock lending, (ii) stock lending at Wedbush, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. D'Angelo and RBF.

Ed Wedbush: It is anticipated that Mr. Wedbush, upon information and belief a current or former employee of Wedbush, will testify concerning: (i) stock lending, (ii) stock lending at Wedbush, (iii) Mr. Reed and NC, (iv) the securities at issue in these litigations, and (v) Mr. D'Angelo and RBF.

Current or Former Employees of Ferris, Baker Watts, Inc.

Craig Hartman: It is anticipated that Mr. Hartman, upon information and belief a current or former employee of Ferris, Baker Watts Inc. ("FBW"), will testify concerning: (i) stock lending, (ii) stock lending at FBW, (iii) FBW's lack of reliance on any statements or omissions by NC or Mr. Reed, (iv) the securities at issue in these litigations, (v) FBW's lack of adequate internal controls, (vi) the fact that neither NC nor Mr. Reed caused FBW any damages, and (vii) the parties to the litigation.

James Lonergan: It is anticipated that Mr. Lonergan, upon information and belief a current or former employee of FBW, will testify concerning: (i) stock lending, (ii) stock lending at FBW, (iii) FBW's lack of reliance on any statements or omission by Mr. Reed or NC, (iv) the securities at issue in these litigations, (v) FBW's lack of

adequate internal controls, (vi) the fact that neither NC or Mr. Reed caused FBW any damages, and (vii) the parties to the litigation.

Kenneth Mountcastle: It is anticipated that Mr. Mountcastle, upon information and belief a current or former employee of FBW, will testify concerning: (i) stock lending, (ii) stock lending at FBW, (iii) FBW's lack of reliance on any statements or omissions by NC or Mr. Reed or NC, (iv) the securities at issue in these litigations, (v) FBW's lack of adequate internal controls, (vi) the fact that neither NC nor Mr. Reed caused FBW any damages, and (vii) the parties to the litigation.

Current or Former Employees of E*Trade Securities LLC

Barton Ambrose: It is anticipated that Mr. Ambrose, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Glenn Barber: It is anticipated that Mr. Barber, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these

litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages and (viii) the parties to the litigation.

Michael Chochon: It is anticipated that Mr. Chochon, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Wade Cooperman: It is anticipated that Mr. Cooperman, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Shawn Devenney: It is anticipated that Mr. Devenney, upon information and belief a current or former employee of E*Trade, will testify concerning E*Trade's failure to preserve documents and document destruction.

William Johnson: It is anticipated that William Johnson, upon information and belief, a current or former employee of E*Trade, will testify concerning: (i) the

establishment and maintenance credit limits with respect to stock lending, (ii) E*Trade's lack of adequate internal controls, and (iii) the conduit stock lending.

R. Jarrett Lilien: It is anticipated that R. Jarrett Lilien, upon information and belief, a current or former employee of E*Trade, will testify concerning: (i) the establishment and maintenance credit limits with respect to stock lending, (ii) E*Trade's compliance with regulatory requirements, (iii) internal audits and reviews, and (iv) E*Trade's lack of adequate internal controls.

Michael Muddell: It is anticipated that Mr. Muddell, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Jonathan O'Donnell: It is anticipated that Mr. O'Donnell, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Erik Renga: It is anticipated that Mr. Renga, upon information and belief a current or former employee of E*Trade, will testify concerning E*Trade's failure to preserve documents and document destruction.

Drew Rening: It is anticipated that Mr. Rening, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Donald Santina: It is anticipated that Mr. Santina, upon information and belief a current or former employee of E*Trade, will testify concerning: (i) stock lending, (ii) stock lending at E*Trade, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Mr. Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Mr. Reed caused E*Trade any damages, and (viii) the parties to the litigation.

Current or Former Employees of Fiserv Securities

Walter Koller: It is anticipated that Mr. Koller, upon information and belief a current or former employee of Fiserv, will testify concerning: (i) stock lending, (ii) stock lending at Fiserv, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or

omissions by Scott Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Scott Reed caused Fiserv any damages, and (viii) the parties to the litigation.

Kevin Reed: It is anticipated that Kevin Reed,¹ upon information and belief a former employee of Fiserv, will testify concerning: (i) stock lending, (ii) stock lending at Fiserv, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Scott Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Scott Reed caused Fiserv any damages, and (viii) the parties to the litigation.

Barbara Selepak: It is anticipated that Ms. Selepak, upon information and belief a current or former employee of Fiserv, will testify concerning: (i) stock lending, (ii) stock lending at Fiserv, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any statements or omissions by Scott Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Scott Reed caused Fiserv any damages, and (viii) the parties to the litigation.

Cindy Gail Snyder: It is anticipated that Ms. Snyder, upon information and belief a current or former employee of Fiserv, will testify concerning: (i) stock lending, (ii) stock lending at Fiserv, (iii) E*Trade's lack of adequate internal controls, (iv) E*Trade's failure to preserve documents, (v) E*Trade's lack of reliance on any

¹ All references to "Mr. Reed" in this document are to Scott Reed, not Kevin Reed.

statements or omissions by Scott Reed or NC, (vi) the securities at issue in these litigations, (vii) the fact that neither NC nor Scott Reed caused Fiserv any damages, and (viii) the parties to the litigation.

Current or Former Employees of MJK Clearing

Thomas Brooks: It is anticipated that Mr. Brooks, upon information and belief a former employee of MJK, will testify concerning: (i) stock lending, (ii) stock lending at MJK, (iii) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (iv) the securities at issue in these litigations, and (v) the parties to the litigation.

Jeffery Houdek: It is anticipated that Mr. Houdek, upon information and belief a former employee of MJK, will testify concerning: (i) stock lending, (ii) stock lending at MJK, (iii) compensation for stock lending employees at MJK, (iv) controls and supervision at MJK, (v) MJK's financial statements and condition, (vi) regulatory filings, (vii) reserve calculations and requirements, and (viii) net capital calculations and requirements.

Paul Meehl: It is anticipated that Mr. Meehl, upon information and belief a former employee of MJK, will testify concerning: (i) operations at MJK, (ii) stock lending at MJK, (iii) controls and supervision at MJK, (iv) compensation for stock lending employees, (v) MJK's financial statements and condition, (vi) regulatory filings, (vii) reserve calculations and requirements, (viii) net capital calculations and requirements, (iv) misleading statements by stock lending employees, (x) the collapse of MJK, and (xi) inaccurate records at MJK.

Todd Miller: It is anticipated that Mr. Miller, upon information and belief a former employee of MJK, will testify concerning: (i) stock lending, (ii) stock lending at MJK, (iii) compensation for stock lending employees at MJK, (iv) control and supervision failures at MJK, (v) MJK's financial statements and condition, (vi) regulatory filings, (vii) reserve calculations and requirements, and (viii) net capital calculations and requirements.

Dean Reder: It is anticipated that Mr. Reder, upon information and belief a former employee of MJK, will testify concerning: (i) MJK's financial statements and condition, (ii) regulatory filings, (iii) reserve calculations and requirements, (iv) net capital calculations and requirements, (v) misleading statements by stock lending employees, (vi) the collapse of MJK, and (vii) inaccurate records at MJK.

Donald Reller: It is anticipated that Mr. Reller, upon information and belief a former employee of MJK, will testify concerning: (i) stock lending, (ii) stock lending at MJK, (iii) compensation for stock lending employees at MJK, and (iv) controls and supervision at MJK.

Jack Rosenfield: It is anticipated that Mr. Rosenfield, upon information and belief a former employee of MJK, will testify concerning: (i) controls and supervision at MJK, (ii) independent reviews of MJK's stock lending policies and procedures, and (iii) compliance oversight.

Matthew Tyler: It is anticipated that Mr. Tyler, upon information and belief a former employee of MJK, will testify concerning: (i) stock lending, (ii) stock

lending at MJK, (iii) compensation for stock lending employees at MJK, and (iv) control and supervision failures at MJK.

Current or Former Employees of Maple Partners Financial Group

Joseph South: It is anticipated that Mr. South, upon information and belief a former employee of Maple, will testify concerning: (i) stock lending, (ii) stock lending at Maple, (iii) Mr. Reed, including his employment at Maple, (iv) Mr. Reed's and NC's lack of any knowledge of or involvement in the fraudulent stock trading scheme, and (v) the securities at issue in these litigations.

Current or Former Employees of Native Nations, Inc.

Edward Allen: It is anticipated that Mr. Allen, upon information and belief, a former employee of Native Nations, will testify concerning: (i) stock lending at Native Nations, (ii) inaccuracies in Native Nations' stock lending records, (iii) transactions involving the securities at issue in these litigations, (iv) kickbacks and other compensation Mr. Evangelista may have received with respect to stock lending transactions, and (v) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme.

Leonard Balestrieri: It is anticipated that Mr. Balestrieri, upon information and belief, a former employee of Native Nations, will testify concerning: (i) stock lending at Native Nations, (ii) inaccuracies in Native Nations' stock lending records, (iii) transactions involving the securities at issue in these litigations, (iv) transfers of funds from Native Nations, and (v) kickbacks and other compensation Mr. Evangelista may

have received with respect to stock lending transactions, (vi) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme.

Richard Evangelista: It is anticipated that Mr. Evangelista, upon information and belief a former employee of Native Nations, will testify concerning: (i) stock lending, (ii) stock lending at Native Nations, (iii) inaccuracies in Native Nations' stock lending records, (iv) marks to market involving Native Nations and Deutsche Bank, (v) transactions involving the securities at issue in these litigations, (vi) the securities at issue in these litigations, (vii) transfers of funds from Native Nations, (viii) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (ix) kickbacks and other compensation Mr. Evangelista may have received with respect to stock lending transactions, and (x) the involvement of Mr. D'Angelo, Mr. Breedon, Mr. El-Batrawi, Mr. Evangelista and Native Nations in the fraudulent and manipulative trading and transactions in GENI, ICII and RVEE.

Michael Gerard: It is anticipated that Mr. Gerard, upon information and belief, a former employee of Native Nations, will testify concerning: (i) marks to market involving Native Nations and Deutsche Bank, (ii) stock lending at Native Nations, (iii) inaccuracies in Native Nations' stock lending records, (iv) transactions involving the securities at issue in these litigations, (v) transfers of funds from Native Nations, (vi) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, and (vii) kickbacks and other compensation Mr. Evangelista may have received with respect to stock lending transactions.

Christopher Halter: It is anticipated that Mr. Halter, upon information and belief, a former employee of Native Nations, will testify concerning: (i) marks to market involving Native Nations and Deutsche Bank, (ii) stock lending at Native Nations, (iii) inaccuracies in Native Nations' stock lending records, (iv) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, and (v) transactions involving the securities at issue in these litigations.

James Smith: It is anticipated that Mr. Smith, upon information and belief a former employee of Native Nations, will testify concerning: (i) stock lending, (ii) stock lending at Native Nations, (iii) Mr. Reed's and NC's lack of scienter and non-involvement in any fraudulent stock loan trading scheme, (iv) the securities at issue in these litigations, (v) the involvement of Mr. D'Angelo, Mr. Breedon, Mr. El-Batrawi, Mr. Evangelista and Native Nations in the fraudulent and manipulative trading and transactions in GENI, ICII and RVEE; and (vi) kickbacks and other compensation Mr. Evangelista may have received with respect to stock lending transactions..

Other Non-parties

William Curtis: It is anticipated that Mr. Curtis, upon information and belief a former consultant for Doerge Capital Management and business partner of Michael Riley, will testify concerning: (i) ICII securities and efforts to support the price of the ICII bonds; (ii) RVEE stock and the underlying corporation; (iii) the lack of involvement by Mr. Reed or NC in any fraud, including their lack of involvement in the manipulation of the price of ICII bonds or RVEE stock, and (iv) the role of Deutsche

Bank, Mr. Breedon, Mr. D'Angelo, Mr. Doerge and others in the fraudulent scheme relating to ICII and RVEE.

David Doerge: It is anticipated that Mr. Doerge, upon information and belief a former market maker in ICII bonds and RVEE stock, will testify concerning: (i) ICII securities; (ii) RVEE securities; (iii) fund transfers among various entities relating to RVEE; (iv) the lack of involvement by Mr. Reed or NC in any fraud, and (v) the roles of Mr. Breedon, Mr. D'Angelo, Mr. Doerge, and others in the fraudulent scheme relating to ICII and RVEE.

Bradford Keiller: It is anticipated that Mr. Keiller, a defendant in these actions and upon information and belief a former day trader of GENI securities, will testify concerning: (i) GENI securities, (ii) the lack of any fraud by Mr. Reed and NC, and (iii) the role of Mr. El-Batrawi and others in the fraudulent day trading.

Franklyn McRae: It is anticipated that Mr. McRae, upon information and belief a current employee of National Bank Financial, will testify concerning: (i) the securities at issue in this litigation, (ii) Mr. Reed and NC, (iii) Mr. Reed's and NC's lack of any knowledge of or involvement in the fraudulent stock trading scheme, (iv) Native Nations, and (v) Mr. D'Angelo and Mr. Breedon.

Richard Rinella: It is anticipated that Mr. Rinella, upon information and belief a former employee of Doerge Capital, will testify concerning: (i) RVEE securities and trading to sustain the market price of the stock; (ii) fund transfers among various entities relating to RVEE; (iii) the lack of involvement by Mr. Reed or NC in any fraud,

and (iv) the roles of Mr. Breedon, Mr. D'Angelo, Mr. Doerge, and others in the fraudulent scheme relating to RVEE.

Wayne Snavelly: It is anticipated that Mr. Snavelly, upon information and belief a former CEO of Imperial Credit Industries, will testify concerning: (i) the issuance of several series of bonds and corporate debt of ICII; (ii) Michael Riley's and William Curtis' role in purchasing ICII bonds; and (iii) the lack of involvement by Mr. Reed or NC in any fraud.

Anthony Vignali: It is anticipated that Mr. Vignali, upon information and belief the son-in-law of Kenneth D'Angelo, President of Liberty Discount Brokers, and broker for a number of accounts controlled by Mr. D'Angelo, will testify concerning: (i) Mr. D'Angelo's relationships with Messrs. Breedon, Evangelista, El-Batrawi; (ii) accounts maintained by Ultimate Holdings; (iii) trading of RVEE, GENI and ICII in accounts held by or controlled by Mr. D'Angelo, including extensive day trading of GENI and RVEE; and (iv) the lack of involvement by Mr. Reed or NC in any fraud.

Expert Witnesses

Charles Sackville: It is anticipated that Mr. Sackville, an expert retained by NSI and NC, will testify concerning: (i) the nature of NSI's and NC's participation in stock loan transactions involving GENI, ICII, and RVEE, and (ii) the fact that NSI's and NC's GENI, ICII, and RVEE securities lending complied with the industry practices, procedures and customs.

H. S. Grace: It is anticipated that Mr. Grace, an expert retained by NSI, will testify concerning the relationship between NSI and NC in 2001.

Samuel Luque, Jr.: It is anticipated that Mr. Luque, an expert retained by NSI and NC, will testify concerning: (i) inapplicability of Regulation T to the transactions at issue, and (ii) the lack of any specific or general regulations or rules governing supervision of stock lending activities.

Dated: October 17, 2005

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